

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

11	ROGER CANTU, et al.,	)	Case No.: 1:20-cv-00538-JLT-SAB
12	Plaintiffs,	)	
13	v.	)	ORDER ADOPTING FINDINGS AND
14	KINGS COUNTY, et al.,	)	RECOMMENDATIONS GRANTING APPROVAL
15	Defendants.	)	OF PETITION FOR MINOR'S COMPROMISE
16		)	(Docs. 62, 63, 64, 65, 69, 70, 71, 72, 72, 74)

On April 15, 2019, Gregory Cantu, who at the time was incarcerated at the Kings County Jail, was found dead in his cell from an apparent seizure. (*See generally* Doc. 25.) The operative complaint alleges that decedent had a history of serious seizures and that the Jail and its contracted medical provider, Naphcare, Inc., should have been aware of his medical condition and need for anti-seizure medication. (*Id.*, ¶¶ 21–30.) On October 12, 2023, minor Plaintiff G.C., through their guardian ad litem Maryzol Jones, filed a petition to compromise Plaintiff G.C.'s claims. (Docs. 62, 63, 64, 65.) Upon review of the petition materials, the Court ordered, and received supplemental briefing. (Docs. 69, 70.)

The parties reached a settlement totalling \$27,500, with attorneys' fees in the amount of \$6,875.00, and reimbursement of costs in the amount of \$1,532.25, and a net amount to be distributed to the minor plaintiff of \$19,092.75. Based on the recovery in the similar cases cited above, the facts of this case, and the minor's specific claims, the magistrate judge found the net amount of \$19,092.75

1 to be distributed to the minor to encompass a fair and reasonable settlement of this action, and on  
2 December 20, 2023, recommended granting the petition for compromise of the minor's claims, with  
3 an additional order specifying that the funds be deposited into a federally insured blocked interest-  
4 bearing account. (Doc. 74.)

5 The Court informed the parties that any objections to these Findings and Recommendations  
6 were due within 14 days of the date of service. To date, no objections have been filed by any party,  
7 and the time to do has expired. According to 28 U.S.C. § 636 (b)(1)(C), this Court conducted a *de*  
8 *novo* review of the case. Having carefully reviewed the entire file, the Court concludes the magistrate  
9 judge's Findings and Recommendations are supported by the record and by proper analysis. Based  
10 upon the foregoing, the Court **ORDERS**:

- 11 1. The Findings and Recommendations issued on December 20, 2023 (Doc. 74) are  
12 **ADOPTED.**
- 13 2. The petition for approval of the minor's compromise (Docs. 62, 63, 64, 65, 70) is  
14 **GRANTED.**
- 15 3. The settlement funds shall be deposited into a federally insured blocked interest-  
16 bearing account.
- 17 4. The parties **SHALL** file a stipulation for dismissal of the action with prejudice pursuant  
18 to Rule 41 of the Federal Rules of Civil Procedure within twenty-one (21) days of the  
19 date of service of this order.

20  
21 IT IS SO ORDERED.

22 Dated: **January 12, 2024**

  
UNITED STATES DISTRICT JUDGE